

[Dkt. Ent. 46]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

RICHARD MAY,
Plaintiff,
v.

RONALD SANNA, JR., and
TOWNSHIP OF LUMBERTON,
Defendants.

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: Civil Action No.
: 09-3253 (RMB/AMD)
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: **ORDER**
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THIS MATTER coming before the Court upon a motion for summary judgment by Defendants; and

THE COURT having considered the moving papers, as well as those submitted in opposition and reply, and all accompanying materials; and

FOR THE REASONS set forth in the Opinion issued herewith,
IT IS on this 29th day of March 2012, hereby

ORDERED that Defendants' motion for summary judgment shall be **granted** as to Count I, with respect to Plaintiff's First, Fifth, Sixth, and Eighth Amendment claims, Count II, and Count III; and it is further

ORDERED that Defendants' motion for summary judgment shall

be **denied** as to Count I, with respect to Plaintiff's Fourth Amendment claims for excessive force and false arrest; and it is further

ORDERED that Defendants' motion to dismiss Plaintiff's request for punitive damages is **denied** with respect to Counts I and IV and **granted** with respect to Count III; and it is further

ORDERED that Plaintiff **shall** notify the Court on or before **April 19, 2012**, as to whether or not he wishes to pursue punitive damages against the Defendants for violations under Count IV, and to the extent he does seek to pursue such relief, he **shall** file supplemental briefing setting forth the propriety of this on the same date; Defendants may file an opposition on or before **May 3, 2012**; and it is finally

ORDERED that Defendants' motion to bar Plaintiff's expert report is **dismissed without prejudice**.

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE